



RECEIVED

2005 JUL 15 PM 2:18

BellSouth Telecommunications, Inc

333 Commerce Street

Suite 2101

Nashville, TN 37201-3300

guy.hicks@bellsouth.com

Guy M. Hicks

General Counsel

615 214 6301

Fax 615 214 7406

T.R.A. DOCKET ROOM

July 15, 2005

VIA HAND DELIVERY

Hon. Ron Jones, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re. *BellSouth Tariff to Introduce Transit Traffic Service (No. 04-01259)*  
Docket No. 04-00380

Dear Chairman Jones:

Enclosed for filing is an original and 14 copies of BellSouth's Proposed Issues List.

Copies of this letter are being provided to counsel of record.

Very truly yours,

Guy M. Hicks

w/express permission  
by Carolyn  
Jameson

Enclosure

JP:nc

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

In Re: *BELLSOUTH TARIFF FILING TO INTRODUCE TRANSIT TRAFFIC  
SERVICE, TARIFF NO. 04-01259*

Docket No. 04-00380

**BELLSOUTH'S PROPOSED ISSUES LIST**

BellSouth Telecommunications Inc ("BellSouth") proposes that the Hearing Officer adopt the following Statement of Issues in connection with the Petition filed by the ICOs. BellSouth comprised this list using many of the issues set forth in Director Miller's memo dated June 27, 2005 in this docket:

1. Does the relief sought by the ICOs in their Emergency Petition require BellSouth to provide transit services without remuneration in violation of federal and state constitutional provisions protecting against takings?
2. Should the ICOs be immune from paying for the transit services provided for transit traffic they originate even though CLECs and CMRS providers pay for these same services pursuant to their TRA approved interconnection agreements?
3. Does TCA 65-5-101 govern the ICO's request for relief from a tariff in effect?
4. Issues regarding application of the tariff:
  - (a) What types of transit traffic should be subject to transit charges?
  - (b) Is BellSouth required to provide measurement of traffic when such traffic is originated on the network of the ICOs?

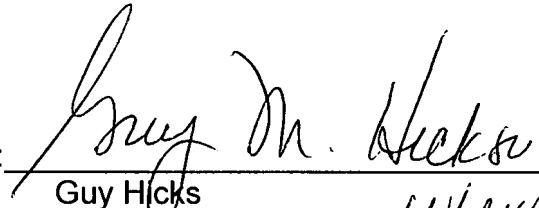
(c) In what manner can BellSouth collect transit charges under the tariff?

(d) What, if any, portion of transit traffic for which BellSouth has collected is not disputed by the ICOs? (Are they simply disputing all transit charges?)

(e) Have the ICOs exhausted other available resources for transiting traffic such as the use of other networks (such as the existing Iris network), negotiation of a separate agreement with BellSouth or direct interconnection with CLECs and CMRS providers?

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

Guy Hicks  
Joelle Phillips  
333 Commerce Street  
Nashville, TN 37201  
615/214-6300

*w/ express permission  
by Carolyn  
Harris*

R. Douglas Lackey  
Parkey Jordan  
675 W Peachtree St., NE, Suite 4300  
Atlanta, GA 30375

## CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2005, a copy of the foregoing document was served on the following, via the method indicated:

- ☐ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight
- ☒ Electronic

Ed Phillips, Esq.  
United Telephone - Southeast  
14111 Capitol Blvd.  
Wake Forest, NC 27587  
[Edward.phillips@sprint.mail.us](mailto:Edward.phillips@sprint.mail.us)

- ☐ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight
- ☒ Electronic

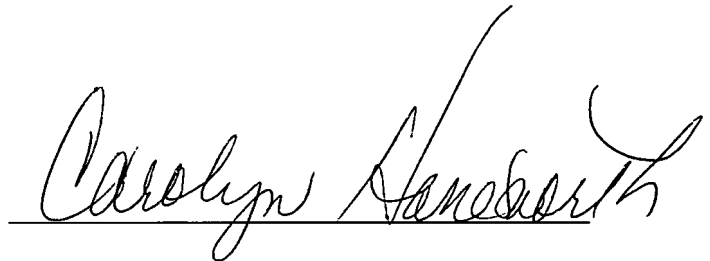
Henry Walker, Esquire  
Boult, Cummings, et al.  
414 Union Street, #1600  
Nashville, TN 37219-8062  
[hwalker@boultcummings.com](mailto:hwalker@boultcummings.com)

- ☐ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight
- ☒ Electronic

Bill Ramsey, Esquire  
Neal & Harwell, PLC  
150 Fourth Avenue North, #2000  
Nashville, Tennessee 37219-2498  
[ramseywt@nealharwell.com](mailto:ramseywt@nealharwell.com)

- ☐ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight
- ☒ Electronic

Gulford Thornton, Esquire  
Stokes & Bartholomew  
424 Church Street, #2800  
Nashville, TN 37219  
[gthornton@stokesbartholomew.com](mailto:gthornton@stokesbartholomew.com)



Carolyn Henderson